

January 11, 2021

The Honorable Joseph R. Biden, Jr.  
President-Elect of the United States  
1401 Constitution Avenue, N.W.  
Washington, D.C. 20230

Dear President-Elect Biden,

We write to urge you to rescind the public charge rule, which makes it more difficult for immigrants to get green cards or adjust their status if they use certain public benefits. In 2019, the Trump Administration finalized regulations that would expand the definition of “public charge” to include non-cash benefits such as Medicaid, housing assistance, and the Supplemental Nutrition Assistance Program (SNAP). While the regulation was immediately challenged and litigation is ongoing, the Supreme Court ruled on January 27, 2020 to lift the nationwide preliminary injunction and implementation of the rule began on February 24, 2020. This rule went into effect just weeks before a once-in-a-generation pandemic devastated the health and economic security of communities all across the country, leaving countless immigrant families without access to resources they have paid into. As the United States continues to grapple with the effects of the coronavirus pandemic, we urge you to issue an Executive Order directing the Department of Homeland Security and other agencies to rescind the public charge rule.

Even before it was finalized, the public charge rule had already inspired fear in immigrant communities. In fact, the text of the proposed regulation released by DHS bluntly stated that this policy change could result in “worse outcomes, including increased prevalence of obesity and malnutrition, especially for pregnant or breastfeeding women, infants, or children, and reduced prescription adherence”, “increased rates of poverty and housing instability”, and “increased use of emergency rooms and emergent care as a method of primary health care due to delayed treatment.” Over 250,000 public comments were sent to DHS on the proposed rule, the vast majority opposing implementation.

Since its announcement, the rule has caused individuals to disenroll from public benefits for fear of jeopardizing their immigration status and put children and families at greater risk for poor health outcomes and living in poverty. Now more than ever before, it is vital that we ensure that individuals feel safe getting tested, seeking treatment, and getting vaccinated to stop the spread of COVID-19. In addition, people of color have higher rates of COVID-19 infection and deaths. Additionally, the pandemic has shown us that immigrants play a vital role as frontline workers as healthcare workers, food suppliers and care providers. The public charge rule acts as a wealth test even though we know our economy cannot thrive without immigrants. We must work to rebuild their trust in the federal government so that everyone can receive the vaccine, testing, and treatment, and our communities can recover quickly.

We appreciate your commitment to reversing the public charge rule and understand that it could be a lengthy process to reverse the policy. For that reason, we urge you to issue an Executive Order in your first few days in office to ensure that immigrants and their families know that they do not have to worry about seeking treatment, getting the vaccine, or availing themselves of

other public benefits to make ends meet while the regulatory process is underway to reverse the rule. Thank you for your prompt consideration of this matter.

Sincerely,



Judy Chu, Ph.D.  
Member of Congress

/s/ Jerrold Nadler  
Member of Congress

/s/ Zoe Lofgren  
Member of Congress

/s/ Pete Aguilar  
Member of Congress

/s/ Gwen Moore  
Member of Congress

/s/ Adriano Espaillat  
Member of Congress

/s/ Danny K. Davis  
Member of Congress

/s/ Albio Sires  
Member of Congress

/s/ Eleanor Holmes Norton  
Member of Congress

/s/ Bonnie Watson Coleman  
Member of Congress

/s/ Tony Cárdenas  
Member of Congress

/s/ James P. McGovern  
Member of Congress

/s/ Nydia M. Velázquez  
Member of Congress

/s/ Ed Case  
Member of Congress

/s/ Rosa L. DeLauro  
Member of Congress

/s/ Alan Lowenthal  
Member of Congress

/s/ Jerry McNerney  
Member of Congress

/s/ Grace F. Napolitano  
Member of Congress

/s/ Joaquin Castro  
Member of Congress

/s/ Yvette D. Clarke  
Member of Congress

/s/ Jimmy Gomez  
Member of Congress

/s/ Betty McCollum  
Member of Congress

/s/ Val B. Demings  
Member of Congress

/s/ Carolyn B. Maloney  
Member of Congress

/s/ Chellie Pingree  
Member of Congress

/s/ Peter Welch  
Member of Congress

/s/ Mark Takano  
Member of Congress

/s/ Barbara Lee  
Member of Congress

/s/ Nanette Diaz Barragán  
Member of Congress

/s/ Mark Pocan  
Member of Congress

/s/ Earl Blumenauer  
Member of Congress

/s/ Ro Khanna  
Member of Congress

/s/ David Trone  
Member of Congress

/s/ Pramila Jayapal  
Member of Congress

/s/ Adam Smith  
Member of Congress

/s/ Paul D. Tonko  
Member of Congress

/s/ Scott Peters  
Member of Congress

/s/ Bennie G. Thompson  
Member of Congress

/s/ Jan Schakowsky  
Member of Congress

/s/ Linda T. Sánchez  
Member of Congress

/s/ Alcee L. Hastings  
Member of Congress

/s/ Anna G. Eshoo  
Member of Congress

/s/ Seth Moulton  
Member of Congress

/s/ David E. Price  
Member of Congress

/s/ Debbie Dingell  
Member of Congress

/s/ Derek Kilmer  
Member of Congress

/s/ Sean Casten  
Member of Congress

/s/ Jahana Hayes  
Member of Congress

/s/ Ilhan Omar  
Member of Congress

/s/ Mark DeSaulnier  
Member of Congress

/s/ Jamie Raskin  
Member of Congress

/s/ Jason Crow  
Member of Congress

/s/ Frank Pallone, Jr.  
Member of Congress

/s/ Ted W. Lieu  
Member of Congress

/s/ Norma J. Torres  
Member of Congress

/s/ Raúl M. Grijalva  
Member of Congress

/s/ Mike Thompson  
Member of Congress